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6 UNITED STATES DISTRICT COURT
7 DISTRICT OF NEVADA
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9 RUSSELL COHEN,

3:03-cv-00606-HDM-VPC

10 Plaintiff,

11 vs.

ORDER

12 DEBRA LIGHTSEY, *et al.*,

13 Defendants.
14 _____/

15 The court has considered the report and recommendation of the
16 United States Magistrate Judge (Doc. #63) filed on November 30,
17 2005, in which the Magistrate Judge recommends that this court
18 enter an order denying the plaintiff's motion for judgment on the
19 pleadings (Doc. #40) and denying the defendants' motion for summary
20 judgment (Doc. #41). The plaintiff has filed objections to the
21 report and recommendation (#64), the defendants have responded
22 (Doc. #65), and the plaintiff has replied (Doc. #66).

23 The court has considered the pleadings and memoranda of the
24 parties and other relevant matters of record and has made a review
25 and determination in accordance with the requirements of 28 U.S.C.

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1 § 636 and applicable case law, and good cause appearing, the court
2 hereby

3 ADOPTS AND ACCEPTS the report and recommendation of the
4 United States Magistrate Judge (Doc. #63). Accordingly, the
5 plaintiff's motion for judgment on the pleadings (Doc. #40) is
6 DENIED. The defendants' motion for summary judgment (Doc. #41) is
7 DENIED.

8 It is so ORDERED.

9 Dated this 18th day of January, 2006.

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12 SENIOR U.S. DISTRICT JUDGE
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